



## **CLARENCE ENVIRONMENT CENTRE**

31 Skinner Street

South Grafton 2460

Phone/ Fax: 02 6643 1863

Web site: [www.cec.org.au](http://www.cec.org.au)

E-mail: [admin@cec.org.au](mailto:admin@cec.org.au)

# **Submission**

to

## **Roads and Maritime Services**

[plan\\_comment@planning.nsw.gov.au](mailto:plan_comment@planning.nsw.gov.au)

on the

# **Responses to Submissions to the Proposed Pacific Highway upgrade Woolgoolga to Ballina**

Compiled for Clarence Environment Centre

by John Edwards

(Scientific licence - No SL 100126)

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# **Submission to Roads and Maritime Services on the Responses to Submissions to the Proposed Woolgoolga to Ballina Pacific Highway upgrade**

## **Introduction**

The Clarence Environment Centre (CEC) has maintained a shop-front in Grafton for close to a quarter of a century, and has a proud history of environmental advocacy. The conservation of the Australia's natural environment, both terrestrial and marine, has always been a priority for our members, and we believe the maintenance of healthy ecosystems and biodiversity is of paramount importance.

## **Background**

The Centre has had a close involvement with the planned Pacific Highway upgrade, firstly some eight years ago when the Wells Crossing to Iluka Road section was planned; followed by the Glenugie upgrade; then changes to the route at Shark Creek, which moved the original alignment adjacent to the existing highway into native forest; and finally the current expanded Woolgoolga to Ballina upgrade.

It has to be said that the thin veneer of public consultation, at least in relation to the environment, disappeared early in the piece, with the dropping of regular meetings with environment group representatives, something that has not occurred for the past 6 years at least.

In all we have written dozens of submissions and letters on various aspects of the proposal, and have always asserted that the environmental impacts of the proposed route are unacceptably high. The RMS's decision to construct a motorway along large sections of the route, additional to the existing highway will, we believe, have an unacceptably high environmental impact, while also adding enormous costs compared to a simple upgrade of the existing road to 4 lanes. As well, the planned Clarence Valley motorway will provide few if any benefits to residents and businesses, while placing enormous additional costs to Clarence Valley Council which will inherit the upkeep of some 80km of the current highway.

It has always been our belief that the NSW Government should have taken a long-term view of transport infrastructure requirements. With dwindling world oil reserves, and an urgent need to reduce greenhouse gas emissions, the massive waste of money in building 80km of motorway across the Clarence Valley to cater for a paltry 30% of road users (we note that the RMS has now changed its mind on the 30% figure) is not a cost effective project, so cannot be justified.

We have always stressed that building a motorway across the Clarence Valley, where traffic volumes are lower than anywhere else between Warnambool and Gympie, benefits no one but the road freight transport and construction industry. The billions of dollars that would be saved by dropping these grandiose plans could have been spent on upgrading the freight rail system and taking dangerous heavy road transport vehicles off the road, making it safer for everyone.

We also claim that the proposed upgrade/deviation, particularly the Woolgoolga to Ballina section, directly contravenes the RMS environmental policy that states: "*When managing biodiversity, RMS aims to: Avoid and minimise impacts first.*" ([www.rta.nsw.gov.au/environment/biodiversity/index.html](http://www.rta.nsw.gov.au/environment/biodiversity/index.html)). In fact it is almost as though the route seeks out forested country as it meanders across the valley.

## Our Submission.

The Clarence Environment Centre's submission made the following points:

The proposed upgrade, specifically through the Clarence Valley and along the Richmond River's Broadwater – Coolgardie section, will generate massive and unacceptable impacts on biodiversity and cause significant impacts on numerous Matters of National Environmental Significance. Very few of these impacts can be mitigated or offset and major declines in biodiversity will result if the proposed infrastructure is built. There are alternative low-impact route options available between Broadwater and Coolgardie that would minimise impacts on biodiversity, and the same can be said for the Clarence Valley. These low impact options must be utilised to achieve some degree of ecological sustainability.

The predicted 4.2 billion dollar cost of the upgrade, a figure that is bound to double, does not include a single dollar for the eco-services provided by the forests that will be lost. Those forests convert CO<sup>2</sup> into oxygen, store carbon, filter water, and protect biodiversity, something that provides us with everything we eat, much of what we wear, and many of the pharmaceutical products we enjoy. We believe that is an unforgivable omission.

We identified the benefits of dropping the motorway proposal and adopting a simple upgrade as follows:

- Local commuters, that make up 70% of traffic on the highway, will have a safe divided highway instead of the current second rate, winding single lane country road.
- Visitors to Grafton would not have to continue to battle more than 40km of those 'goat track' conditions between the off and on ramps at Glenugie and Tyndale.
- Local ratepayers will not have to foot the bill for maintenance of more than 100km of bypassed highway.
- The RMS objective (page S2) of “*developing a route involving the community and considering its interests*”, would be achieved.
- 200ha of prime agricultural land, plus at least that amount of secondary agricultural land, would be saved from destruction in the Clarence Valley alone.
- 80 hectares of timber resource would be saved.
- The destruction of hundreds of hectares of native forests, including 337 hectares of endangered ecological communities (6 different community types), would be avoided.
- The additional destruction of 120ha of high conservation value habitat, 8ha of riparian vegetation at 40 major waterway crossings, and 465ha of other native vegetation in the Clarence Valley alone, would also be avoided.
- Up to 1,000 hectares of habitat for over 125 threatened terrestrial flora and fauna species would be saved.
- Massive fragmentation of the largest contiguous remnant of coastal forest communities in northern NSW would be avoided.
- The habitat of the endangered coastal emu population, now reduced to less than 100 birds, would not be dissected and the possible extinction of the species could be avoided.
- Destruction of habitat of at least 10 threatened aquatic species would be avoided.
- Actual and potential impacts on numerous SEPP 14 wetlands on the Clarence Valley

floodplain, and threats to large aquatic birds that require lengthy, low trajectory take-off flight paths (such as Brolga and Black-necked Stork), through flying into the lengthy viaducts built across sections of these wetlands, would also be avoided.

- Evacuation of residents in flood prone areas will be much easier by access to an upgraded, and possibly raised, current highway.
- Extensive tracts of known habitat for a significant resident Koala population along the Broadwater to Coolgardie section, which contains preferred feed tree species Swamp Mahogany, Forest Red Gum and Tallowwood, will be spared.
- Impacts on numerous nationally significant conservation values of the Wardell wetlands and heathlands, the Blackwall Range and the Tuckean will be avoided.

**We concluded that the cumulative negative environmental impacts of the proposed upgrade, particularly the separate motorway sections that dissect the Clarence and Richmond River Valleys, are just too great, and the options should be abandoned in favour of the much cheaper, low impact option of upgrading the existing highway to a 4 lane divided standard.**

### **The RMS Response to our submission.**

It is interesting to note that of the 145 submissions received by the RMS, only 3% supported the project while 52% objected (comments from the the remaining 45% provided neutral comment.

We have learned from experience that our submissions will not result in any changes to RMS's plans, and a comprehensive assessment of the 3,200 pages in the time available is impossible. Even a reasonable assessment of RMS's 871 page "Biodiversity Assessment" cannot be undertaken by us with the resources available to us. Therefore we will concentrate on just one example of the complete disregard the RMS has displayed when dealing with biodiversity and threatened species.

In our submission early in 2013, we made the following comment: ***"In about 2010, several sightings of the endangered Giant Dragonfly were made on the motorway corridor south of Tyndale, and photographs were forwarded to the Museum in Sydney for confirmation. However, the species receives no mention in the EIS, so we suggest this be addressed as a matter of urgency"***.

In fact we erred in the wording of that paragraph which should have read ***"the new record receives no mention in the EIS"***. Therefore the RMS's response (chapter 2, page 115) that: ***"The Giant Dragonfly was considered in the previous assessments for the Wells Crossing to Iluka Road project ..."***, was predictable.

The SKM working paper, was compiled using information collected from field surveys undertaken in 2005-06.



**Photograph of Giant Dragonfly recorded south of Tyndale**

SKM identified the depressing fact that, *“there was a minimal potential of it (the Dragonfly) being present in the project boundary”*, pointing out that: *“The majority of wetland areas in the lower catchment, such as those on the Clarence floodplain illustrate degradation as a result of land clearance and stock access. **Such wetlands are unlikely to hold populations of the Giant Dragonfly given that degradation of wetland habitats is thought to be a contributing factor in its decline, and the absence of records on the Clarence floodplains.**”*

It needs to be clearly understood that the revised Pacific Highway route through the Clarence Valley had been deliberately chosen to avoid floodplain wherever possible, so the flood-plain comments are not all that relevant. While we do not expect SKM to have sighted this particularly cryptic species during their surveys, we believe their assumption that wetlands along their chosen route are unlikely to support the Dragonfly, is unsupported and irresponsible. What it did allow the RMS to do, was avoid undertaking any targeted surveys for the species.

The multiple sightings south of Tyndale in the vicinity of the proposed route in 2009, with photographs of both male and female specimens, including mating, was sufficient for the Australian Museum to confirm the species identification. Our query to OEH resulted in the following confirmation that it had been entered on the NSW Wildlife Atlas, stating: *“The sighting was entered into our system on 3 December 2009 and accepted as valid. Notes include that it was identified by Gunther Theischinger. Gunther works for OEH in the Water & Coastal Science Section, based in Lidcombe”*.

The Response to our submission is absolutely unacceptable. Despite our alerting RMS of the existence of new Atlas records, the RMS claims: *“This species was not detected during field surveys (undertaken 6 years earlier), and: **It should also be noted that this record did not appear on the NSW Wildlife Atlas database which were consulted as part of the EIS assessment**”*.

Instead of responding to the unexpected good news with plans to try to avoid the destruction of Dragonfly habitat, **the RMS has essentially refused to revisit the NSW Atlas database to confirm the new record.** We are frankly amazed that the discovery that, against all odds, this highly endangered species has managed to survive the ravages of human advances over the past 170 years, is deemed to be so unimportant.

**However, this is typical RMS style. It presents its plans, and those plans are never open to any sort of negotiation, particularly not on environmental grounds, and definitely not from members of the public.** To them, community consultation is a cynical one way street – the RMS tells the community what it intends to do, the community is given an opportunity to comment, and the RMS simply dismisses any suggestions that would require a change to their plan.

The Giant Dragonfly is just one of 125 threatened species, and 337 hectares of Endangered Ecological Communities that have similarly been treated with disdain by the RMS, the habitat fragmentation that will be caused by the indiscriminate bulldozing and fencing of a 150m wide corridor through native forests, which make up the bulk of the planned route, is just an added threat to the ultimate survival of these species.

## **High conservation values ignored**

The current system only requires a developer, including the RMS to assess the impacts on listed threatened species, populations and endangered communities. Each species is assessed individually, and if there are other populations that are conserved in national parks or reserves, it can always be argued that the loss of a few individuals will not lead to species extinction, and therefore not assessed as a “significant” impact.



These impacts are never considered at a landscape level, despite a requirement to consider cumulative impacts. For example, In November I accompanied two specialist ecologists on a walk through that same section of forest south of Tyndale where the Giant Dragonfly was found.

At this stage, we are unsure exactly what is being proposed for that section of motorway. The forest was bedecked with pink flagging tape, assuring us that that particular patch of forest is doomed. We know that there will be an intersection with the existing highway, and that the corridor at that point will be cleared of all vegetation to a width of 450m. However, we have since learned that a service hub/truck stop will also be built in the vicinity.

Our walk was no more than 3 hours duration, assessing the values of the forest habitat, and it should be noted that most of the values we found have been acknowledged individually by the RMS, but never collectively.



**Endangered *Grevillea quadricauda***

Despite there having been some past logging activity throughout the forest, the percentage of canopy made up of senescent trees clearly identified the forest as old-growth. To add to the Giant Dragonfly record, we encountered endangered Screw Ferns, and a sedge, *Eleocharis tetraquetra*, both listed threatened wetland species. Further along were endangered *Grevillia quadricauda* and the very rare *Quasia sp* Moonee Creek. Our specialist botanist also examined a Beard Orchid and pronounced it to be an undescribed species, a view later confirmed by orchid specialist David Jones (B.Ag.Sc.,Dip Hort). That orchid probably grows nowhere else in the world.



**Undescribed Beard Orchid**

The forest was clearly old-growth, containing trees with large hollows that would probably be three to four hundred years old. Not that that bothers the RMS which has admitted that their chosen route will decimate many hundreds of hectares of high conservation value old-growth forest.



**Endangered *Quasia* species Moonee Creek**

Not surprisingly we also identified Powerful Owls and observed Emu scats along the way.

This was a truly unique forest ecosystem, containing extremely high levels of biodiversity, rainforest, orchids, epiphytes, ferns and other unique fauna and flora, but at the end of the day there is nothing in place to protect it. Our planning system provides no way to place a dollar value on forest, its carbon storage qualities, its provision of oxygen to breathe and filtered water to drink.

The greatest tragedy is, there are viable, and possibly cheaper, alternative routes that could have been chosen to avoid the upcoming carnage, but the RMS will simply not change its mind.

Also in our January 1013 submission we alerted the RMS to the following new species also found in the area just south of Tyndale, alerting them to the fact that: "*A rare Bursaria species, which is currently being described by botanists attached to the New England University, is likely to occur along the route. In fact the largest known sub-population of the species, approximately 50 plants,*

*has been identified near Bostock Road in close proximity to the motorway corridor.” That Bursaria has since been described and presented for public scrutiny in the scientific “Telopea” publication. Now named Bursaria cayzerii, the species is described as “highly vulnerable” as few of their known populations occur in conservation reserves.*

*RMS's response to that was: “The NSW Wildlife Atlas database was accessed for the EIS (in 2006) to obtain threatened flora records for the area. No records of a threatened Bursaria species was identified in the project boundary. The presence of this Bursaria species would be considered in flora surveys undertaken during detailed design”.*

Obviously, a species that has never been described would not have been listed as threatened, so the response is ridiculous and, clearly, the RMS has taken no steps to confirm the veracity of our claim, and the “detailed design” will definitely not be altered even if further flora surveys are undertaken to confirm their presence, which we doubt.

As we have already pointed out, these are the environmental issues we have identified along just one short 5km section of the proposed upgrade, out of the total 155km route. However, we are reliably told that the ecological impacts of other areas, particularly on the Richmond River section are even greater. The long term impacts from the fragmentation of habitat on species like the Endangered Coastal Emu population could be catastrophic.

Lower impact routes are available and lowering engineering standards to 4 lane highway as opposed to 'motorway' could save billions of dollars, and should be considered further.

We thank you for this opportunity to comment.

Yours sincerely

John Edwards  
Honorary Secretary.